

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Kevin Wright, being duly sworn, hereby depose and state:

INTRODUCTION

1. I have been employed as a Special Agent with the United States Department of Agriculture (USDA), Office of Inspector General since August 2003. Prior to my employment with USDA I was employed as a Special Agent with the U.S. Department of State, Diplomatic Security Service since August of 1999 and prior to that I was a Police Officer with the Baltimore County Police Department in Baltimore County Maryland. As a Special Agent for the USDA my duties and responsibilities include conducting investigations of possible criminal violations of the U.S. Code related to the USDA and it's programs and related offenses. My duties include the conducting and participating in criminal investigations of individuals and businesses for violations of Title 18 and Title 7 of the United States Code. During my eleven year career as a Special Agent I have conducted and participated in numerous criminal investigations of individuals and businesses who have violated federal laws, specifically fraud involving USDA public assistance programs, filing false documents, theft of government property, false claims, money laundering, and fraud involving farm loans and assistance programs.
2. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center, as well as the Basic Special Agent Course at the U.S. Department of State. I am also a graduate of the Inspector General Transition Program at the Inspector General Criminal Investigation Academy. Throughout my career I have received continued professional education and additional law enforcement training specific to USDA programs and Federal statutes. I have also attended training provided specifically to criminal investigators and Special Agents conducted by the Justice Department.



3. I am currently assigned as the case agent on a Federal investigation partnered with the Richland County Sheriff's Office (RCSO) and the Internal Revenue Service, Criminal Investigations (IRS-CI) involving allegations that Ulysses Williams, George Andrew Williams, Jamal Derwin Gains and Xavier Roedran Pinckney and others known and unknown are involved in committing numerous federal violations including Title 7, U.S.C. § 2024 (SNAP Benefit Fraud), Title 18, U.S.C. § 641 (Theft of Government property), Title 18, U.S.C. § 1343 (Wire Fraud) and Title 18 § 371 (Conspiracy) involving the misuse of the USDA Supplemental Nutrition Assistance Program (SNAP) funds by redeeming the Federal benefits for cash, cigarettes, and other non food items at the stores they own, operate, or otherwise are employed.
4. This affidavit is based upon information gained from my criminal and financial investigation as well as the investigative efforts of the RCSO and the IRS-CI.
5. I have personally participated in investigative operations described in part within the body of this affidavit. Except where otherwise noted, the information set forth in this affidavit has been provided to me directly or indirectly by officers of the RCSO and IRS-CI or other law enforcement officers, and confidential sources who have assisted in the investigation. Unless otherwise noted, wherever in this affidavit I assert that a statement was made, the information was provided by another Special Agent or law enforcement officer, or a confidential source or source of information (any of whom may have had either direct or hearsay knowledge of that statement) to whom I have spoken or whose report I have read and reviewed. Such statements are among many statements made by others and are referenced in substance and in part, unless otherwise indicated. Similarly, information resulting from surveillance, except where otherwise indicated, does not necessarily set forth my personal observations but rather may also be observations provided directly or indirectly by, and/or through other officers of the RCSO, IRS-CI, or other law enforcement officers who conducted such surveillance.
6. Since this affidavit is being submitted for the limited purpose of securing arrest warrants for Ulysses Williams, George Andrew Williams, Jamal Derwin Gains and Xavier Roedran Pinckney, I have not included each and every fact known



to me concerning this investigation. I have set forth only the facts that I believe are required to establish the necessary probable cause for the arrest warrant.

PURPOSE

7. This affidavit sets forth sufficient facts to establish probable cause for and is being submitted for the issuance of arrest warrants for the following subjects.

- a) Ulysses Williams
African-American Male DOB: '1940 SSN: -6779

Columbia, SC 29203
- b) George Andrew Williams
African-American Male DOB: /1964 SSN: -4041

Columbia, SC 29203
- c) Jamal Derwin Gaines
African-American Male DOB: '1987 SSN: -9892

Columbia, SC 29206
- d) Xavier Roedran Pinckney
African-American Male DOB: 1973 SSN: -7704

Columbia, SC 29201

8. The purpose of the Criminal Complaint is to charge the above individuals with the commission of criminal offenses in violation of Title 7 U.S.C. § 2024 (SNAP Benefit Fraud).

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

- a. The US Department of Agriculture's Food and Nutrition Service (FNS) administers the Federal Supplemental Nutritional Assistance Program (SNAP) and provides Federal funds to the State governments for low income families to purchase food.



b. The SNAP Federal funds are distributed through the State of South Carolina to individuals via a debit card called an Electronic Benefits Transfer Card (EBT Card). The EBT Card is credited with a certain dollar amount each month for only the individual card holder to use to purchase eligible food items only.

c. EBT cards are like debit cards that have magnetic strips containing electronically coded information. The individual EBT card recipient is assigned a personal identification number (PIN), for their use only, to access funds from the SNAP.

d. Retail food businesses, known as vendors, to include convenience stores, are authorized and licensed by FNS to accept EBT benefits. They obtain electronic card reading devices known as Point of Sale (POS) terminals which read the coded information from the EBT card. An eligible food item purchase is accomplished when the vendor uses the POS terminal by swiping the EBT card through the POS terminal.

e. The POS terminal reads the code on the EBT card's magnetic strip and the EBT fund recipient enters their PIN onto a key pad attached to the POS. This initiates a wire transfer through the United States Federal Reserve System in which funds are deducted from the EBT cardholders account and credited to the vendor's bank account for the value of the food item purchased.

f. The EBT funds are paid from USDA FNS Federal funds through the State of South Carolina via wire transfer into the vendor's bank account. All vendors are authorized and provided training materials by FNS to participate and properly receive EBT funds from the SNAP.

g. FNS regulations mandate that vendors and participants in SNAP may only use EBT funds for the purchase of eligible food items. The SNAP prohibits the sale/purchase of ineligible food items such as alcoholic beverages, tobacco products, pet food, household supplies, vitamins, prepared foods, and hot foods



with EBT funds. EBT funds may not, under any circumstances, be purchased or sold for cash. This practice is commonly known as "EBT trafficking."

h. Vendors are required to complete an application (FNS-252) to participate in the program and to be able to redeem SNAP benefits. As part of this application owners are required to certify and sign the application stating that they understand and agree to twelve terms spelled out in the application.

Three of these terms are as follows:

"I will receive Supplemental Nutrition Assistance Program materials upon authorization. It is my responsibility to ensure that the training materials are reviewed by all firm's owners and all employees (whether paid or unpaid, new, full-time or part-time); and that all employees will follow Supplemental Nutrition Assistance Program regulation. If I do not receive these materials I must contact the Food and Nutrition Service to request them;

I am aware that violations of program rules can result in administrative actions such as fines, sanctions, withdrawal or disqualification from the Supplemental Nutrition Assistance Program; I am aware that violations of the Supplemental Nutrition Assistance Program rules can also result in Federal, State and/or local criminal prosecution and sanctions;

I accept responsibility on behalf of the firm for violations of the Supplemental Nutrition Assistance Program regulations, including those committed by any of the firm's employees, paid or unpaid, new, full-time or part-time. These include violations such as, but not limited to:

- Trading cash for Supplemental Nutrition Assistance Program benefits (i.e. trafficking);*
- Accepting Supplemental Nutrition Assistance Program benefits as payment for ineligible items;*
- Accepting Supplemental Nutrition Assistance Program benefits as payment on credit accounts or loans;*
- Knowingly accepting Supplemental Nutrition Assistance Program benefits from people not authorized to use them;"*

i. The USDA has the ability to monitor the SNAP EBT transactions at a particular vendor by accessing a database of the third party processor. This third party processor for the state of South Carolina is JPMorgan/Chase, Inc. This financial institution provides an electronic means of identifying the

locations of vendors that were visited by the EBT recipient. This monitoring allows the investigators to view the transaction by EBT card number at the store as it is being processed for redemption. It also allows the investigators to also see the dollar amount, date, and time of the transaction.

RELEVANT LAW

9. Title 7, U.S.C. § 2024 prohibits the unauthorized use, transfer, acquisition or possession of SNAP benefits in a manner contrary to the statutes and regulations governing the SNAP Benefit program.
10. According to the relevant regulations, a retail food store may accept SNAP benefits only in exchange for eligible food. 7 C.F.R. § 278.2 "Eligible food" means "any food or food product intended for human consumption except alcoholic beverages, tobacco, hot foods and hot foods products prepared for immediate consumption." 7 C.F.R. § 271.2; see also 7 U.S.C. § 2012(g). The regulations expressly prohibit the exchange of benefits for cash.

STORE HISTORY

11. FNS records show that Ulysses Williams completed and signed form FNS-252, a SNAP Application, for B&B Fruit and Vegetable on November 30, 2008. Records also show that George Williams completed and signed form FNS-252, a SNAP Application, for Fresh Open Air Market on February 26, 2010. On that form, these individuals acknowledged and agreed that they were responsible for violations of the SNAP regulations to include violations involving trading cash for SNAP benefits and that they understood the regulations governing SNAP. Ulysses Williams is listed as the business owner of B&B Fruit and Vegetable. George Williams is listed as the business owner of Fresh Open Air Market. Ulysses and George are allegedly uncle and nephew. USDA authorized and licensed B&B Fruit and Vegetable to participate in SNAP on January 2, 2009 and Fresh Open Air Market on March 26, 2010.
12. RCSO informed USDA-OIG that B&B Fruit and Vegetable and Fresh Open Air Market had been known by residents in the area to purchase SNAP benefits for

cash and to allow the purchase of non-food items such as cigarettes, clothing and alcohol using EBT cards. There was also information the locations were used for the sale and distribution of illegal narcotics.

13. Undercover operations conducted at B&B Fruit and Vegetable and Fresh Open Air Market revealed that no optical (bar code) scanners are in use to ring up purchases. The absence of these scanners requires the clerk to enter, by hand, the individual prices of each item purchased. There was one register sitting on the counter of each location with a check-out space of approximately two feet. There were no shopping carts for the customers to use to carry large volume purchases from the store.
14. The analysis of EBT fund redemptions made by B&B Fruit and Vegetable and Fresh Open Air Market revealed excessive amount of EBT fund redemptions for the size of the stores. There are numerous, large whole dollar transactions as well as structured transactions, that occur in rapid succession which are inconsistent with the operations of a small convenience store with little stock of eligible food items.
15. Ulysses Williams reported on his SNAP application for B&B Fruit and Vegetable annual retail sales of \$5,400, of the total annual sales, \$4,860 was eligible food sales. George Williams reported on his SNAP application for Fresh Open Air Market annual retail sales of \$5,000, of the total annual sales, \$4,000 was eligible food sales. FNS records show EBT funds redemption history for B&B Fruit and Vegetable for a period beginning January 2009 and continuing through September 22, 2011, totaled approximately \$2,439,151.81. FNS records show EBT funds redemption history for Fresh Open Air Market for a period beginning March 2010 and continuing through September 12, 2011, totaled approximately \$1,698,487.46.
16. FNS and OIG compared the monthly EBT redemptions of B&B Fruit and Vegetable and Fresh Open Air Market to similarly-sized businesses located in South Carolina for a 31 month time frame beginning January 2009 and continuing through August 2011. The table below shows that B&B Fruit and Vegetable and Fresh Open Air Market's average monthly redemption of \$75,922 and \$93,770.90, respectively, while stores of similar size located

throughout South Carolina only redeemed an average of \$2,026.09 in SNAP benefits per month.

A COMPARISON OF EBT REDEMPTION TO COMPARABLE STORE

State	Month	Total Redemptions	SC Store Count	Average Redemption Amount	B&B Fruit & Vegetable	Fresh Open Air Market
SC	Jan-09	\$1,389,074.38	954	\$1,456.05	\$0	\$0
SC	Feb-09	\$1,292,573.97	967	\$1,336.68	\$51.77	\$0
SC	Mar-09	\$1,582,894.79	976	\$1,621.82	\$216.71	\$0
SC	Apr-09	\$1,789,619.00	998	\$1,793.21	\$740.69	\$0
SC	May-09	\$1,976,364.56	1004	\$1,968.49	\$2,695.09	\$0
SC	Jun-09	\$2,093,262.20	1022	\$2,048.20	\$7,011.62	\$0
SC	Jul-09	\$2,124,023.75	1040	\$2,042.33	\$13,880.10	\$0
SC	Aug-09	\$2,214,774.34	1052	\$2,105.30	\$26,735.27	\$0
SC	Sep-09	\$2,168,088.41	1068	\$2,030.05	\$44,494.43	\$0
SC	Oct-09	\$2,281,528.75	1087	\$2,098.92	\$66,746.02	\$0
SC	Nov-09	\$2,251,950.18	1117	\$2,016.07	\$89,186.69	\$0
SC	Dec-09	\$2,339,795.61	1139	\$2,054.25	\$97,795.80	\$0
SC	Jan-10	\$2,356,391.34	1160	\$2,031.37	\$117,129.57	\$0
SC	Feb-10	\$2,144,332.73	1183	\$1,812.62	\$88,025.19	\$0
SC	Mar-10	\$2,722,020.12	1212	\$2,245.89	\$148,852.10	\$0
SC	Apr-10	\$2,875,404.22	1229	\$2,339.63	\$118,351.23	\$9,603.83
SC	May-10	\$3,028,101.91	1283	\$2,360.17	\$86,369.33	\$58,923.31
SC	Jun-10	\$3,019,963.53	1319	\$2,289.59	\$92,312.43	\$73,061.23
SC	Jul-10	\$3,118,720.74	1338	\$2,330.88	\$97,380.18	\$84,770.16
SC	Aug-10	\$3,227,066.39	1354	\$2,383.36	\$95,179.32	\$121,573.46
SC	Sep-10	\$3,210,110.75	1382	\$2,322.80	\$99,162.72	\$92,550.57
SC	Oct-10	\$3,346,734.27	1415	\$2,365.18	\$96,045.21	\$101,110.89
SC	Nov-10	\$3,151,844.92	1441	\$2,187.26	\$98,163.57	\$90,339.06
SC	Dec-10	\$3,221,899.48	1470	\$2,191.77	\$98,474.39	\$112,941.96
SC	Jan-11	\$3,161,023.34	1498	\$2,110.16	\$95,575.84	\$95,341.65
SC	Feb-11	\$2,968,016.12	1541	\$1,926.03	\$83,372.39	\$88,379.02
SC	Mar-11	\$3,328,760.64	1567	\$2,124.29	\$99,715.66	\$104,479.52
SC	Apr-11	\$3,553,590.82	2,011	\$1,767.08	\$97,520.41	\$99,834.08

SC	May-11	\$3,776,655.00	2,011	\$1,878.00	\$101,299.10	\$107,205.91
SC	Jun-11	\$3,697,829.54	2,011	\$1,838.80	\$101,079.93	\$106,935.16
SC	Jul-11	\$3,699,126.70	2,011	\$1,839.45	\$88,039.56	\$102,735.42
SC	Aug-11	\$3,859,323.71	2,011	\$1,919.11	\$101,980.24	\$144,319.45
Averages				\$2,026.09	\$75,922.00	\$93,770.90
Totals		\$86,970,866.21			\$2,353,583.00	\$1,594,105.00

**The amounts shown in the above table may not be the exact amount of food stamp benefits redeemed for that particular month. Some transactions that occurred at the end of a month maybe credited at the beginning of the next month. The difference is the actual amount of food stamp benefits redeemed and the amount credited to the stores bank account is minimal.*

UNDERCOVER TRANSACTIONS

17. Between January 2011 and September 2011, several undercover transactions were conducted by Undercover Deputies (UC) at the direction of Agents from the USDA-OIG and the RCSO. A summary of these transactions are in the following table. These transactions involved the exchange of EBT benefits for cash, known as trafficking, as well as the purchase of non-food items with the SNAP benefits.

UNDERCOVER TRANSACTIONS AT B&B FRUITS & VEGETABLES MARKET

<u>Date</u>	<u>Total EBT Transaction Amount</u>	<u>Total Cost of Cigarettes</u>	<u>Total Cash Received</u>
2/11/2010	\$11.55	\$4.70	\$0.00
2/12/2010	\$45.45	\$4.70	\$20.00
2/18/2010	\$51.00	\$0.00	\$25.00
2/24/2010	\$49.40	\$9.40	\$20.00
01/04/2011	\$105.50	\$5.50	\$50.00
01/18/2011	\$105.50	\$5.50	\$50.00
02/03/2011	\$105.50	\$5.50	\$50.00
02/18/2011	\$105.49	\$5.49	\$50.00

18. All of the undercover transactions illustrated above were facilitated by Ulysses Williams and/or his employee Jamal Gaines at B&B Fruit & Vegetables, located at 3509 Farrow Road, Columbia, SC.

Additional undercover operations conducted at B&B Fruits and Vegetable Market revealed the following;

19. On August 30, 2011, a UC purchased a pack of Newport cigarettes and got \$25 in cash from B&B Fruits and Vegetables Market with his/her EBT card. The UC approached the register and was greeted by Jamal Gaines, a black male the UC has seen during prior undercover operations at this store. The UC observed Ulysses Williams sitting behind the register near Gaines. The UC asked Gaines for a pack of Newport cigarettes and \$25. Gaines told Williams the UC wanted \$25 back and Williams pulled a \$20 bill and a \$5 bill from his pants pocket and gave the cash to Gaines. The UC gave Gaines his/her EBT card and Gaines gave the UC a pack of cigarettes and the \$25 dollars he got from Williams. Gaines swiped the UC's card and charged \$55.70 in food stamp benefits for the cigarettes and the \$25 dollars.

UNDERCOVER TRANSACTIONS AT FRESH OPEN AIR MARKET

<u>Date</u>	<u>Total EBT Transaction Amount</u>	<u>Total Cost of Cigarettes</u>	<u>Total Cash Received</u>
01/04/2011	\$105.70	\$5.70	\$50.00
01/18/2011	\$105.70	\$5.70	\$50.00
02/03/2011	\$105.70	\$5.70	\$50.00
02/18/2011	\$105.49	\$5.49	\$50.00
8/30/2011	\$106.00	\$6.00	\$50.00
8/30/2011	\$4.00	\$4.00	\$0.00
9/23/2011	\$199.92		\$100.00

20. All of the undercover transactions illustrated above were facilitated by George Williams and/or his employee Xavier Pinckney at Fresh Open Air Market located at 5897-B Farrow Road, Columbia, SC.

21. On September 2, 2011, an UC purchased a pack of cigarettes from Fresh Open Air Market with his/her EBT card. The UC approached the register and asked an unknown black male for a pack of cigarettes and \$20 in cash. The unknown male gave the UC a pack of cigarettes and told the UC they were out of cash. The UC gave the unknown black male his/her EBT card and the unknown black male swiped the card and charged \$5.50 in food stamp benefits for the cigarettes.
22. On September 7, 2011, an UC purchased a pack of cigarettes and got \$20 cash from Fresh Open Air Market with his/her EBT card. The UC approached the register and asked an unknown black male for a pack of Marlboro cigarettes and \$20 in cash. The unknown black male gave the UC a pack of cigarettes and \$20 cash. The UC gave the unknown black male his/her EBT card and the black male swiped the card and charged \$43.50 in food stamp benefits for the cigarettes and \$20 cash.
23. On September 9, 2011, an UC purchased a pack of cigarettes and got \$40 cash from Fresh Open Air Market with his/her EBT card. The UC approached the register and asked Xavier Pinckney for a pack of Marlboro cigarettes and \$40 in cash. Pinckney gave the UC a pack of cigarettes and \$40 cash. The UC gave Pinckney his/her EBT card and Pinckney swiped the card and charged \$81.00 in food stamp benefits for the cigarettes and \$40 cash.
24. On September 16, 2011, an UC purchased a pack of cigarettes and got \$40 cash from Fresh Open Air Market with his/her EBT card. George Williams followed the UC inside the store and watched the UC purchase cigarettes and get \$40 in cash from his/her EBT card. The UC approached the register and asked Xavier Pinckney for a pack of Marlboro cigarettes and \$40 in cash. Pinckney gave the UC a pack of cigarettes and \$40 cash. The UC gave Pinckney his/her EBT card and Pinckney swiped the card and charged \$84.50 in food stamp benefits for the cigarettes and \$40 cash.
25. On September 16, 2011, an UC purchased a pack of cigarettes and got \$40 cash from Fresh Open Air Market with his/her EBT card. George Williams followed the UC inside the store and watched the UC purchase cigarettes and get \$40 in cash from his/her EBT card. The UC approached the register and

asked Xavier Pinckney for a pack of Marlboro cigarettes and \$40 in cash. Pinckney gave the UC a pack of cigarettes and \$40 cash. The UC gave Pinckney his/her EBT card and Pinckney swiped the card and charged \$84.50 in food stamp benefits for the cigarettes and \$40 cash.

26. On September 20, 2011, an UC purchased a pack of cigarettes and got \$40 cash from Fresh Open Air Market with his/her EBT card. The UC approached the register and asked cashier for a pack of Marlboro cigarettes and \$40 in cash. The cashier gave the UC a pack of cigarettes and \$40 cash. The UC gave the cashier his/her EBT card and the cashier swiped the card and charged \$86 in food stamp benefits for the cigarettes and \$40 cash.
27. On September 21, 2011, an UC attempted to purchase a pack of cigarettes from Fresh Open Air Market with his/her EBT card. When the UC approached the register, George Williams stood nearby and watched the UC ask Xavier Pinckney for a pack of Marlboro cigarettes and \$40 in cash. Williams watched Pinckney give the UC a pack of cigarettes and tell the UC they were out of cash. Williams stood nearby and watched the UC give Pinckney his/her EBT card. Pinckney swiped the card to charge for the cigarettes. The transaction did not go through because the UC input the incorrect PIN to authorize the purchase.
28. Analysis of the most recent FNS transaction data for B&B Fruit and Vegetable indicates that during a six month period from April to September of 2011 there are numerous EBT transactions in amounts from \$80 to \$120. Most of these transactions are \$99.99, \$99.98, \$101, etc. Many transactions occurring, literally, within seconds of each other and often using the same card. This behavior is consistent with trafficking, attempting to keep the transaction amounts somewhat low to avoid detection. This is also consistent with the undercover operations. The UC indicated that there is only one register with no bar code scanner and there are no shopping carts at the location. These numerous, large transactions would be logistically be impossible for one person to manually enter, having to key each item into a single cash register if the transactions were truly for eligible food items.

29. Analysis of the most recent FNS transaction data for Fresh Open Air Market indicates that during a six month period from April to September of 2011 there are numerous high dollar EBT transactions. These transactions are between \$300 and \$1,100. Many of these transactions occur, literally, within seconds of each other and often using the same card. Also, a majority of transactions occurring at Fresh Open Air Market are even dollar amounts, with no cents. This behavior is consistent with trafficking. The UC indicated that there is only one register with no bar code scanner and there are no shopping carts at the location. Again, these very large transactions sometimes occur within minutes or seconds of each other and would be logistically impossible for one person to manually enter each item into a single cash register if the transactions were truly for eligible food items.

FINANCIAL ANALYSIS

IRS-CI has acquired and analyzed Ulysses Williams' and George Williams' personal and business bank account records for a time period beginning in January 2009 and continuing through April 2011. The analysis of those records has revealed the following:

30. Ulysses Williams maintains one business account in the name of B&B Fruit & Vegetable at Wells Fargo Bank. Ulysses Williams was the only person to have signature authority on this account and the only person to have an ATM/VISA card. The bank records for the business checking account reveal \$1,961,183.73 in EBT redemption funds deposits from January 2009 to April 2011. During this same time period the bank also revealed numerous cash withdrawals totaling \$1,253,385. None of the cash withdrawals exceed \$9,000.
31. Ulysses Williams used the business account used to pay business expenditures. Checks drawn on these accounts reveal expenditures for monthly rental expenses, monthly utility expenses, and weekly purchases from the Sam's Club. In addition, there were several check payments to George Williams, owner of Fresh Open Air Market, for supplies, materials and loans.
32. George Williams maintains one business account in the name of Fresh Open Air Market at Wells Fargo Bank. George Williams is the only person to have

signature authority on this account. The bank records for the business checking account reveal \$1,133,449 in EBT redemption funds deposits from January 2009 to April 2011. During this same time period the bank also revealed numerous cash withdrawals and checks written to George Williams totaling \$919,900. None of the cash withdrawals exceed \$9,000.


33. George Williams used the business account to pay business expenditures. Checks drawn on these accounts reveal expenditures for monthly rental expenses, monthly utility expenses, and weekly purchases from the Sam's Club. In addition, there were several check payments to Ulysses Williams, owner of B&B Fruit & Vegetable, for supplies, materials and loans.



CONCLUSION

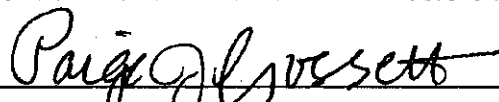
Based on the foregoing facts, probable cause exists that Ulysses Williams, George Andrew Williams, Jamal Derwin Gains and Xavier Roedran Pinckney, owners and or employees of B&B Fruit and Vegetable and Fresh Open Air Market, are currently violating Title 7 U.S.C. § 2024 (b) (Unauthorized use, transfer, acquisition, alteration, or possession of Supplemental Nutrition Assistance Program benefits) by conducting fraudulent EBT transactions with recipients that receive financial benefits from USDA via SNAP. Through the use of a point of sale terminal, these subjects are swiping and/or manually charging recipients' EBT cards an agreed upon dollar amount and giving the recipient approximately \$.50 on every SNAP benefit dollar in cash as well as allowing the purchase of ineligible items such as alcohol, clothing and/or tobacco products. After this electronic transaction is completed, B&B Fruit and Vegetable and Fresh Open Air Market subsequently receive from the USDA a monetary electronic payment for the full amount of the EBT transaction into their respective bank accounts. As a result, the recipient has reduced its benefits by selling them for cash and the retailer has made an illegal profit without selling any goods. Then Ulysses Williams and George Williams, on a regular basis, withdraw large sums of money from their business bank accounts in cash. This type of activity, which is commonly known as EBT trafficking, violates the above statutes and abuses the Supplemental Nutrition Assistance Program.

This affidavit was reviewed and approved by Assistant United States Attorney Winston D. Holliday, Jr.



Kevin Wright, Special Agent
U.S. Department of Agriculture – Office of
Inspector General

SWORN to and SUBSCRIBED before me this 28th day of September, 2011.



PAIGE J. GOSSETT
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF SOUTH CAROLINA